

EXHIBIT

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From: Dr. Michael Moates <mike@cpmht.com>
Sent: Monday, May 22, 2023 4:58 PM
To: Kulwicki, Brandon S. <BKulwicki@hallrender.com>; McManus, Lindsay K. <LMcManus@hallrender.com>; carr@bacb.com; Gibson, Rebecca S. <RGibson@hallrender.com>; misty@bacb.com; melissa@bacb.com
Subject: Re: Rule 408

A couple of quick notes while you are deciding:

- The document thrown at me got in a bunch of water and thus cannot be read. Service has not been completed.
- Ms. Kieschnick is no longer with the institute and cannot accept service on behalf of it. Thus, service to her a few days ago is invalid.
- The institute has been dissolved, and I have no intention of reactivating it.
- I have not spoken about the BACB publicly since the Colorado case commenced.
- I am willing to work toward an agreement that all parties can be happy with.
- I am not willing to accept an assault on me and will seek restitution to the fullest extent of the law if we cannot resolve this.
- I will go public if we cannot resolve this.
- At this point, you are notified that any process server coming onto my property today after what happened will be trespassing, and the police will be called out to issue a criminal trespass citation. I have signs and cameras up.
- If we can't resolve this today, I will ask the judge to order you to send anyone else to my home. I will ask for sanctions and enter the video into the public record.

- After watching the video again, not only was I assaulted, I was chased after, he admits to "watching" stalking me in the video, and following me.
- If we resolve this today, I will not seek medical charges from the BACB or law firm related to the assault, emotional distress, and loss of work today and the next few days I am expected to be out.

Just some things to consider.

On Mon, May 22, 2023 at 1:39 PM Dr. Michael Moates <mike@cpmht.com> wrote:

Your client will accept my offer or not... but I have it here for you. I am in distress, crying, my heart racing, and I am in a panic, scared to leave my home. I am sore from the incident.

They have until 7 PM CST today to tell me they will dismiss this case. If not, I will file separate litigation for assault, harassment, emotional distress, destruction of property, and stalking.

I started posting the video and saying that the BACB's process server was attacking me and it would not look good. I have 175k Twitter Followers and will contact members of the media.

I will submit it in the official record in our current proceedings, which will be on the docket forever. They hired someone who tortured my dog and I making us fear for our lives.

I will hire an attorney for personal injury. I will also go public and be careful so there are no libel claims.

The BACB hired this man, who came to my home and did this. Then talk about my crying, panic attack, the police and police report, etc. This was a traumatic experience for me, and I can't believe your client would go about it this way. It is just wrong. I had some negative feelings about the BACB, but this was beyond anything I could have ever expected to happen to me personally.

I am going to the ER to look at where I am sore and talk with them about my panic attacks. I have to wait till a friend comes because I don't feel safe leaving my home alone for fear that I might have someone else who could chase me and attempt to hit me with something.

My heart continues to race, and I am terrified to leave my home now, fearing that someone else might do what he did to me on your behalf.

So that you know, I have a video recording, and you can hear the thump from the metal hitting the wall the second time he threw it. I have attached a few screen grabs for you to review. In the screengrabs, you can clearly see the metal piece flying through the air. That is what hit me.

End this now, please before it gets dirty. Stop sending men who cover up my security cameras and peephole (have this on video too), who chase me, assault me, threaten me, attempt to assault me, stalk me, harass me,

and more. I shouldn't have to fear you. I shouldn't be crying and panicking now, worried about leaving home.

Assuming I am up to it this evening (after the 7PM clock expires) (I am feeling very sore, not to mention my racing heart rate from the panic), I will drive up to the court and give them a copy to the court and ask for a protective order and sanctions.

Please provide me the information of the process server you sent.

Please don't hurt me, I will take whatever you want but I don't want to get hurt. I am very scared.

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As always, you can book a session by going to <https://bookmike.org> or by clicking here.

Very Respectfully,

Doctor Michael S. Moates, EdD*

Licensed Clinical Psychologist

Adjunct Professor of Psychology

E: Mike@cpmht.com | P: 254-966-2837

"Yesterday is not ours to recover, but tomorrow is ours to win or to lose."

Typically, it is improper to use the term Doctor while also using the nominal letters, however, state law requires me to tell you specifically what kind of Doctor I am.

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